

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

**JEFFREY MARSHALL,**

Plaintiff,

v.

**DEPUTY CASTRO, et al.,**

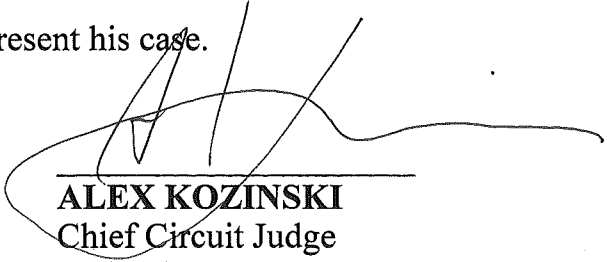
Defendant.

Case No. 2:04-cv-01657-AK

**ORDER**

Jeffrey Marshall and defendants have filed several motions, all relating to Marshall's request for a two-month continuance from the current trial date of February 22, 2010. Marshall's original motion requesting a continuance (docket entry 178) is granted and his later motions attempting to alter that request (docket entries 180 and 181) are denied. As defendants point out, "[i]t is most likely that his original assessment of his needs is the more accurate and defendants should not have to prepare for a trial which [Marshall] may well not be healthy enough to conduct." Declaration of Martha M. Stringer (docket entry 179).

Pursuant to defendants' request (docket entry 177), trial is rescheduled to Tuesday, October 26, 2010, at 10:00 a.m. in Courtroom 3 of the Robert T. Matsui United States Courthouse in Sacramento. Moving the trial to October will ensure that Marshall is healthy enough to effectively present his case.

  
**ALEX KOZINSKI**  
Chief Circuit Judge  
Sitting by designation

January 21, 2010